

EXHIBIT C

the Commercial Division
At L.A.S. Part, of the Supreme Court of the State of New York, held in and for the County of Westchester, at the Courthouse located at 111 Dr. Martin Luther King Jr. Blvd, White Plains, NY 10601, on the 30th day of June, 2021.

PRESENT:

Hon. Gretchen Walsh
Justice Supreme Court

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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WHITE PLAINS HEALTHCARE PROPERTIES I, :
LLC, :

Plaintiff, :

Index No. 60278/2020

-against- :

HBL SNF, LLC, LIZER JOZEFOVIC A/K/A LIZER :
JOZOFOVIC, and MARK NEUMAN, :

Defendants and Third-Party Plaintiffs, :

-against- :

CCC EQUITIES, LLC, PROJECT EQUITY :
CONSULTING, THE CONGRESS COMPANIES, :
HOWARD FENSTERMAN, WILLIAM :
NICHOLSON, and METROPOLITAN :
COMMERCIAL BANK :

Third-Party Defendants :
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ORDER TO SHOW CAUSE FOR PRELIMINARY INJUNCTION
AND TEMPORARY RESTRAINING ORDER

UPON the annexed First Amended Verified Amended Answer with Affirmative Defenses, Counterclaims, and Third-Party Complaint dated May 21, 2021, the Complaint dated October 22, 2020 from the consolidated action *Lizer Jozefovic v. White Plains Healthcare Properties I, LLC et*

al., No. 655549/2020, the Affirmation of John Giardino dated June 22, 2021, the Memorandum of Law dated June 22, 2021, and upon each of the exhibits and all of the papers and proceedings heretofore had herein, and sufficient cause being alleged therefore:

LET THE PLAINTIFF WHITE PLAINS HEALTHCARE PROPERTIES I, LLC, and THIRD-PARTY DEFENDANTS CCC EQUITIES, LLC, PROJECT EQUITY CONSULTING, THE CONGRESS COMPANIES, HOWARD FENSTERMAN, WILLIAM NICHOLSON, and METROPOLITAN COMMERCIAL BANK, show cause before this Court located at ~~111 Dr. Martin Luther King Jr. Blvd, White Plains, NY 10601~~ *the Commercial Division* ~~Room~~, *Room* 111 Dr. Martin Luther King Jr. Blvd, White Plains, NY 10601, on the ~~30th~~ *30th* day of June, 2021 ~~11:00~~ *11:00* a.m./p.m., or as soon thereafter as counsel may be heard;

WHY a preliminary order pursuant to Article 63 of the Civil Practice Law and Rules should not be entered, pending determination of this action, enjoining (1) Plaintiff and Third-Party Defendants and their agents from taking any action to transfer, assign, convey, or sell Lizer Jozefovic's membership interest in Waterview Acquisition I, LLC during the pendency of this action; (2) Defendants and Third-Party Plaintiffs and their agents from **reducing** the Rent Security below \$1.6 million during the pendency of this action; and (3) Granting such other relief as the Court deems just and proper.

IT BEING alleged in the Amended Answer and Third-Party Complaint, the Complaint, and the Affirmations that temporary relief is necessary to prevent irreparable harm to Defendants and Third-Party Plaintiffs pending the hearing and determination of the motion for a preliminary injunction, and it appearing that Defendants and Third-Party Plaintiffs are entitled to a preliminary injunction pursuant to CPLR § 6301 to enjoin Plaintiff and Third-Party Defendants as stated above; it is:

~~ORDERED, that pending the hearing and determination of Defendants and Third-Party Plaintiffs' motion for a preliminary injunction, (1) Plaintiff and Third-Party Defendants are temporarily enjoined and restrained from taking any action to transfer, assign, convey or sell Lizer Jozefovic's membership interest in Waterview Acquisition I, LLC, and (2) Defendants and Third-Party Plaintiffs are temporarily enjoined and restrained from taking any action to reduce the Rent Security below \$1.6 million.~~

GW
J.S.C.

~~AND IT IS FURTHER ORDERED that Plaintiff and Third-Party Defendants' response to this motion, if any, shall be hand delivered or emailed to Defendants and Third-Party Plaintiffs' counsel and filed with the Court on or before _____, 2021;~~

~~AND IT IS FURTHER ORDERED that Defendants and Third-Party Plaintiffs reply, if any, should be delivered or emailed to Plaintiff and Third-Party Defendants' counsel and filed with the Court on or before _____, 2021;~~

GW
J.S.C.

~~SUFFICIENT CAUSE BEING ALLEGED THEREFORE, IT IS ORDERED THAT service of this order and the papers upon which it is granted be deemed due, timely and sufficient if made as follows:~~

- ~~a) By overnight mail service upon Plaintiff White Plains Healthcare Properties I, LLC, on or before the ____ day of June, 2021, or by electronic service of said papers;~~
- ~~b) By overnight mail service upon Third-Party Defendants CCC Equities, LLC, Project Equity Consulting, The Congress Companies, Howard Fensterman, and William Nicholson on or before the ____ day of June, 2021, or by electronic service of said papers; and~~

GW
J.S.C.

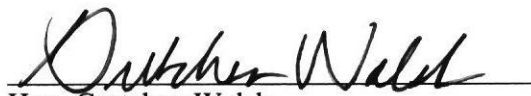
As stated on the record of the conference held on 6/30/21, all parties have submitted their respective papers and this motion is fully submitted as of 6/30/21.
Dulake Walsh
J.S.C.

6/30/21

- c) ~~By overnight mail service upon Third-Party Defendant Metropolitan Commercial Bank, on or before the ____ day of June, 2021, or by electronic service of said papers.~~

GW
J.S.C.

ENTER:


Hon. Gretchen Walsh
JUSTICE OF THE SUPREME COURT